

IDAHO LIQUEFIED PETROLEUM GAS SAFETY BOARD
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 7/31/2015

BOARD MEMBERS PRESENT: Richard B. Davies
Jay T. Hill
Larry L. Simms
David J. Summers

BOARD MEMBERS ABSENT: Thomas E. Coates - Chair

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
John Kersey, Chief Investigator
Maurie Ellsworth, General Counsel
Mitchell Toryanski, Legal Counsel
Eric Nelson, Board Prosecutor
Kellie LaBonte, Technical Records Specialist

The meeting was called to order at 9:00 AM MDT by Mr. Hill.

APPROVAL OF MINUTES

Mr. Summers made a motion to approve the minutes of 6/24/2015 and 7/8/2015. It was seconded by Mr. Davies. Motion carried.

LEGISLATIVE REPORT

Ms. Hall reminded the Board of the deadlines for legislative changes – proposed law changes are due to the Governor's office August 1st and proposed rule changes are due the third week in August.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$78,295 as of 6/30/2015.

BOARD CONTRACT

Ms. Hall presented the Board Contract for FY 2016. Mr. Davies made a motion to approve the contract and authorize the Board Chair to sign. It was seconded by Mr. Simms. Motion carried.

BOARD MEMBER INTRODUCTION

The Board welcomed Mr. Simms and thanked him for his willingness to serve.

DISCIPLINE

Mr. Nelson presented a memorandum regarding case number LPG-2015-1. After discussion, the Board gave recommendations for appropriate discipline.

INVESTIGATIVE REPORT

Mr. Kersey gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Mr. Summers made a motion to approve the Bureau's recommendation and authorize closure in cases I-LPG-2015-19 (with a warning letter), I-LPG-2015-20, I-LPG-2015-23, I-LPG-2015-28, and I-LPG-2015-36. It was seconded by Mr. Simms. Motion carried.

COURT DECISION – BOARD IMMUNITY

Mr. Toryanski discussed the North Carolina State Board of Dental Examiners vs. The Federal Trade Commission.

BOARD MEMBER TRAINING

Mr. Toryanski presented information regarding the role of regulatory boards and Board members.

Discussion was held regarding additional Board Member Trainings that are available to the Boards, specifically Open Meeting Law training. The Board has asked to have this on the next conference call agenda.

TO DO LIST

To Do List – The Board reviewed the list and no action was taken.

PROPOSED RULE CHANGE

Discussion was held regarding Rule 225. The Board provided direction to staff that if completion certificates of training are submitted with applications that are not Certified Employee Training Program (CETP) certificates, then the Board must review the certificates for determination. No further action was taken.

INSPECTOR TRAINING

Discussion was held regarding inspector training. The Board asked that this be tabled for the next meeting, when all Board members may be present to participate in the discussion. Additionally, Mr. Simms and Mr. Hill did want the Bureau and Mr. Kersey to know that inspectors may contact Mr. Simms and Mr. Hill to accompany the inspectors during inspections that take place in their area of the state.

EXECUTIVE SESSION

Mr. Davies made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Summers. The vote was: Mr. Simms, aye; Mr. Davies, aye; Mr. Hill, and Mr. Summers, aye. Motion carried.

Mr. Simms made a motion to come out of executive session. It was seconded by Mr. Summers. The vote was: Mr. Simms, aye; Mr. Davies, aye; Mr. Hill, aye; and Mr. Summers, aye. Motion carried.

APPLICATIONS

Mr. Simms made a motion to approve the following for licensure:

AmeriGas Propane, Poleline Road, Pocatello	PGF-1094
AmeriGas Propane, Simplot Blvd., Caldwell	PGLF-1103
AmeriGas Propane, Pinto Road, Caldwell	PGLF-1104
Mountain View RV Park	PGF-1114
North 40 Outfitters, Coeur d'Alene	PGF-1118
North 40 Outfitters, Ponderay	PGF-1119
North 40 Outfitters, Lewiston	PGF-1124

It was seconded by Mr. Davies. Motion carried.

Mr. Davies made a motion to approve the following for licensure pending the receipt of proof of adequate crash protection which is to be reviewed by the Board Chair:

PDFA-1117
PLFA-1123

It was seconded by Mr. Simms. Motion carried.

NEXT MEETING – Conference call, August 19, 2015 at 9:00 AM.

ADJOURNMENT

Mr. Summers made a motion to adjourn the meeting at 10:35 AM. It was seconded by Mr. Simms. Motion carried.

Thomas E. Coates, Chair

Richard B. Davies

Jay T. Hill

Larry L. Simms

David J. Summers

Tana Cory, Bureau Chief